United Nations S/2016/1121

Security Council

Distr.: General
30 December 2016

Original: English

Letter dated 21 December 2016 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, containing an account of the Committee's activities from 1 January to 31 December 2016. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Rafael Darío **Ramírez Carreño**
Chair
Security Council Committee
pursuant to resolutions 751 (1992) and 1907 (2009)
concerning Somalia and Eritrea

16-21572 (E) 301216

Please recycle

Report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

I. Introduction

1. The present report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea covers the period from 1 January to 31 December 2016.

2. The Bureau of the Committee consisted of Rafael Darío Ramírez Carreño (Bolivarian Republic of Venezuela) as Chair and the representatives of Egypt and Japan as Vice-Chairs.

II. Background

3. By its resolution 733 (1992), the Security Council imposed a general and complete arms embargo on Somalia and, by its resolution 751 (1992), established a committee to oversee the implementation of the embargo. Subsequently, in its resolutions 1356 (2001), 1425 (2002), 1744 (2007), 1772 (2007), 1846 (2008), 1851 (2008), 1916 (2010), 2060 (2012), 2093 (2013), 2111 (2013), 2142 (2014), 2182 (2014), 2244 (2015) and 2317 (2016), the Council introduced exemptions to and further defined the scope of the embargo.

4. By its resolution 1425 (2002), the Security Council established the Panel of Experts on Somalia, which was succeeded by the Monitoring Group established under resolution 1519 (2003). By paragraphs 1, 2 and 7 of its resolution 1844 (2008), the Council imposed targeted measures (a travel ban, an asset freeze and a targeted arms embargo) on individuals and entities designated by the Committee. In the same resolution, the Council also introduced certain exemptions to those measures. In its resolution 2036 (2012), the Council imposed a ban on the direct or indirect import of charcoal from Somalia, whether or not the charcoal originated in Somalia. In its resolution 2093 (2013), the Council partially lifted the arms embargo for the development of the security forces of the Federal Government of Somalia.

5. In its resolution 1907 (2009), the Security Council imposed a two-way arms embargo on Eritrea, as well as targeted measures (a travel ban, an asset freeze and a targeted arms embargo) on individuals and entities designated by the Committee. The Council expanded the mandate of the Committee to enable it to oversee the implementation of those measures. The Monitoring Group, the name of which was changed to the Somalia and Eritrea Monitoring Group, was mandated to monitor, investigate and report on the implementation of the measures imposed under resolution 1907 (2009). In the same resolution, the Council also introduced certain exemptions to the targeted measures. On 5 December 2011, the Council adopted resolution 2023 (2011), by which it expanded the restrictive measures concerning Eritrea in the areas of the "diaspora tax", the Eritrean mining sector and financial services.

6. In 2014, the Security Council extended the partial lifting of the arms embargo for the development of the security forces of the Federal Government of Somalia on two occasions: in resolution 2142 (2014), for a period of six months, and in resolution 2182 (2014), until 30 October 2015. In its resolution 2182 (2014), the Council authorized, for a period of 12 months, Member States acting nationally or through voluntary multinational naval partnerships, such as "combined maritime forces", to interdict charcoal and arms being transported in violation of the sanctions measures in Somali territorial waters and on the high seas off the coast of Somalia, extending to and including the Arabian Sea and the Persian Gulf. With the adoption of resolution 2244 (2015) on 23 October 2015, the Council extended the partial lifting of the arms embargo for the development of the security forces of the Federal Government of Somalia and the authorization for the maritime interdiction of arms and Somali charcoal. It also affirmed that the entry into Somali ports for temporary visits of vessels carrying arms and related materiel for defensive purposes did not amount to a violation of the arms embargo. With the adoption of resolution 2317 (2016) on 10 November 2016, the Council further extended the partial lifting of the arms embargo and the authorization for the maritime interdiction of arms and Somali charcoal until 15 November 2017.

7. The mandate of the Monitoring Group, consisting of eight experts, was extended most recently in resolution 2317 (2016).

8. Further background information on the Somalia and Eritrea sanctions regimes can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

9. The Committee met four times in informal consultations, on 22 April, 3 and 7 October and 16 December, in addition to conducting its work through written procedures.

10. During the informal consultations held on 22 April, the Coordinator of the Monitoring Group provided the Group's midterm update to the Committee, in accordance with paragraph 32 of resolution 2244 (2015) and paragraph 13 (l) of resolution 2060 (2012).

11. During the informal consultations held on 3 October, the Committee received a briefing by the Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator on the report submitted pursuant to paragraph 24 of Security Council resolution 2244 (2015) (S/2016/827).

12. During the informal consultations held on 7 October, the Committee heard a presentation by the Monitoring Group on its final reports on Somalia and Eritrea, submitted pursuant to paragraph 32 of Security Council resolution 2244 (2015), and discussed the recommendations contained therein. The Committee heard from the delegations of Somalia and Eritrea, in addition to receiving a briefing by the delegation of Qatar.

13. During the informal consultations held on 16 December, the Committee received a briefing by the Intergovernmental Authority on Development (IGAD) on transnational terrorist threats in the IGAD region.

14. On 18 February, 20 July and 8 November, the Chair presented to the Security Council the 120-day briefings on the work of the Committee, pursuant to paragraph 11 (g) of resolution 1844 (2008), in a formal meeting (18 February, see S/PV.7626) and in consultations.

15. On 24 August, the Chair, supported by Egypt as Vice-Chair, convened a meeting between the Government of Eritrea and the Monitoring Group to enable the Group to discuss its findings with the Government before the Group's submission of its final reports to the Committee and to provide the Government with an opportunity to respond to those findings.

16. The reports of the Federal Government of Somalia submitted to the Security Council pursuant to paragraph 9 of resolution 2182 (2014) and paragraph 7 of resolution 2244 (2015) were circulated to the Committee on 21 April and 17 October, respectively.

17. On 28 December, the Committee revised and adopted its guidelines for the conduct of its work.

18. The Committee sent 33 communications to 18 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

19. Exemptions to the arms embargoes on Somalia and Eritrea are contained in paragraphs 7, 10 (g), 11 (a) and 12 of resolution 2111 (2013), paragraph 2 of resolution 2244 (2015) and paragraph 2 of resolution 2317 (2016).

20. Exemptions to the asset freeze on Somalia are contained in paragraph 4 of resolution 1844 (2008) and those on Eritrea in paragraph 14 of resolution 1907 (2009).

21. Exemptions to the travel ban on Somalia are contained in paragraph 2 of resolution 1844 (2008) and those on Eritrea in paragraph 11 of resolution 1907 (2009).

22. The Committee received seven notifications pursuant to paragraph 10 (g) of resolution 2111 (2013). The Committee also received 10 notifications pursuant to paragraph 2 of resolution 2244 (2015) and resolution 2317 (2016), five notifications pursuant to paragraph 4 of resolution 2142 (2014) and five communications pursuant to paragraphs 6 and 7 of resolution 2142 (2014). Furthermore, the Committee approved a request pursuant to paragraph 7 and three requests pursuant to paragraph 11 (a) of resolution 2111 (2013).

V. Sanctions list

23. The criteria for the designation of individuals and entities as subject to the travel ban, asset freeze and targeted arms embargo for the Somalia sanctions regime are set out in paragraph 8 of resolution 1844 (2008), paragraph 1 of resolution 2002 (2011), paragraph 23 of resolution 2036 (2012), paragraphs 1 to 3 of resolution 2060 (2012) and paragraph 43 of resolution 2093 (2013). The criteria for the Eritrea

sanctions regime are set out in paragraph 15 of resolution 1907 (2009). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

24. As at the end of the reporting period, there were 13 individuals and one entity on the sanctions list of the Committee pertaining to Somalia and no names on the sanctions list of the Committee pertaining to Eritrea.

VI. Monitoring Group

25. On 28 September, in accordance with paragraph 32 of Security Council resolution 2244 (2015), the Monitoring Group provided its final reports on Somalia and Eritrea to the Committee, which were transmitted to the Council on 31 October and issued as documents of the Council (S/2016/919 and S/2016/920).

26. On 14 December, following the adoption by the Security Council of resolution 2317 (2016), the Secretary-General appointed seven individuals to serve on the Monitoring Group, with expertise in arms (two experts), armed groups, finance, humanitarian affairs, natural resources and regional issues (see S/2016/1065). The maritime/transport expert will be appointed in due course. The mandate of the Group expires on 15 December 2017.

27. The Monitoring Group conducted visits to Angola, Bahrain, Belgium, Cameroon, Canada, the Comoros, Djibouti, Ethiopia, Finland, France, Hungary, Iran (Islamic Republic of), Italy, Kenya, the Netherlands, Norway, Romania, Seychelles, Somalia, South Africa, Sri Lanka, the Sudan, Sweden, Switzerland, Turkey, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America. In Somalia, members of the Group undertook visits to Boosaaso, Garoowe, Hargeysa, Kismaayo and Mogadishu.

28. In pursuance of its mandate, the Monitoring Group, through the Secretariat, sent 117 letters to Member States, the Security Council, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

29. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

30. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States notifying them of upcoming vacancies on the Monitoring Group and

providing information on recruitment timelines, areas of expertise and pertinent requirements.

31. The Division continued to provide substantive advice and support to the Monitoring Group, conducting an induction for newly appointed members in January in New York and assisting in the preparation of the Group's final reports in August.

32. The Monitoring Group participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat. On 8 and 9 December, the Division, in cooperation with United Nations system partners, conducted a workshop on investigative interview techniques for 19 experts from sanctions monitoring groups, teams and panels. Five members of the Group participated therein.

33. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.